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10   UNITED STATES DISTRICT COURT

11   NORTHERN DISTRICT OF CALIFORNIA

12   SAN FRANCISCO/OAKLAND DIVISION

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JASON ZAJONC and DENNIS FOWLER, individually and on behalf of all others similarly situated, Plaintiffs, vs. MORGAN STANLEY & CO. LLC, f/k/a Morgan Stanley & Co. Incorporated, MORGAN STANLEY SMITH BARNEY LLC, and MORGAN STANLEY, Defendants.	Case No. 4:14-cv-05563-EMC **DECLARATION OF CATHERINE SEITER-GOUGH IN SUPPORT OF DEFENDANTS MORGAN STANLEY & CO. LLC, MORGAN STANLEY SMITH BARNEY LLC, AND MORGAN STANLEY'S PORTION OF SEPTEMBER 2, 2015 JOINT DISCOVERY LETTER** Complaint Filed: December 19, 2014 FAC Filed: August 7, 2015

MORGAN, LEWIS &
BOCKIUS LLP
ATTORNEYS AT LAW
SAN FRANCISCO

SEITER-GOUGH DECLARATION
CASE NO. 4:14-CV-05563-EMC

Declaration of Catherine Seiter-Gough

I, Catherine Seiter-Gough, declare as follows:

1.   I am the Director of Client Services at Epiq eDiscovery Solutions, Inc. ("Epiq"). As a result of my position, I know the following facts to be true of my own personal knowledge, information and belief or based upon discussions with the individuals who personally executed the requested searches, and could and would competently testify to the truth thereof if called as a witness.

2.   As a Director of Client Services, one of my responsibilities is to prepare cost estimates and oversee data processing requests received from clients. Because of my experience, I am aware of the process and time involved in collecting and processing electronic data for litigation. The Client Services group works directly with Epiq's clients to determine data handling specifications, and manages Epiq's internal data processing and hosting cycle, in order to prepare documents for attorney and production.

3.   Epiq provides electronic discovery services to Morgan Stanley including the processing, searching, hosting of data for review, and the preparation of documents for production.

4.   **Time of Day Searches**. It is my understanding that Plaintiffs in the above-referenced matter have requested all emails sent by a putative class member outside of that person's normal working hours and during their regular meal break time. It is also my understanding that Epiq would be provided with schedules for each individual putative class member with a start and stop time for the day as well as a time for a meal period based on the individual putative class member's time records.

5.   To determine first and last email sent on a given day, a customized search must be run across the individual's data to identify e-mails where the putative class member is the sender (i.e., the individual's email address/name are searched for in the "From" field).

6.   The time of day values are then applied as searches to the results from above. There are two sub-workflows, depending on the time zone of the custodian:

SEITER-GOUGH DECLARATION
CASE NO. 4:14-CV-05563-EMC

a.   If the individual is from an EST time zone (the time zone the data was processed in) then no time zone conversion is needed. The individual's data is then restricted to his or her pre-production training phase. The time is taken from the DateSent (or DateReceived if DateSent is not available, as Epiq utilizes a date hierarchy). Results are exported to a .CSV file, where the date portion is stripped away and a normalized date (i.e., one date for all documents, for example 2/18/2015) is added to the time portion. This new date and time is loaded into a temporary field in the database. The time of day searches are then performed using this temp field, for example: 2/18/2015 before 8:30 am, or 2/18/2015 after 5 pm.

b.   If the custodian is from a time zone other than EST, then there is an additional step where the dates are exported to a .CSV file and an internal "Epiq" tool is used to convert the time portion of the date value to the desired time zone. This converted date is then loaded into the database into a temporary field. The same workflow from above is then used to complete the search using the converted date field instead of the extracted EST date: The date range filter is then run for that custodian's date range (using the converted date). The time is taken from the converted date field and exported to a .CSV file, the date portion is stripped away and a normalized date is added to the time portion. This new date and time is loaded into a temporary field in the database. The time of day searches are then performed using this temporary field.

7.   It usually takes 4-5 hours to complete the above steps per custodian depending on the time zone. Custodians with an EST time zone will be on the lower end of this scale.

8.   The cost for processing and running this customized (time of day) search, and producing documents for custodians Zajonc and Fowler would result in a charge of approximately $1,415.00 per custodian.

9.   **Keyword Electronic Communication Searches:** I have been informed that Plaintiffs have proposed 522 search strings to run against putative class members' electronic communications in this matter, which would include emails as well as instant messages.

Morgan, Lewis &
Bockius LLP
Attorneys at Law
San Francisco

2

SEITER-GOUGH DECLARATION
CASE NO. 4:14-CV-05563-EMC

10. To date, Epiq has been provided with the electronic communications associated with 2 custodians, Zajonc and Fowler. That data, prior to filtering, consisted of 1.84 GB of data. At the direction of Morgan Stanley's outside counsel, Morgan, Lewis & Bockius LLP, we ran 85 search terms over the data, after applying designated date range filters (without applying time of day searches), which resulted in 1.36 GB of data for review. The cost to filter, process and produce the data for the 2 custodians resulted in a charge of $1,971.35.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 22nd day of September 2015 in New York, New York.

_____
Catherine Seiter-Gough

DB2/ 26318043.1

Sworn to and subscribed before me
this 22nd day of SEPTEMBER 20 15.

JASON M. PAROFF
Notary Public, State of New York
No. 02PA5018041
Qualified in Rockland County
Commission Expires Sept. 20, 20 17

MORGAN, LEWIS &
BOCKIUS LLP
ATTORNEYS AT LAW
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3

SEITER-GOUGH DECLARATION
CASE NO. 4:14-CV-05563-EMC